PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Canara Workshop Ltd., Mangalore.

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers :—

(i) Letter No. I.T. 1017-18/67-68, dated 4th October 1967, from Shri A. Panchaksharaiah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 30th September 1967.

Present:

Shri A. Panchaksharaiah, B.A. (HONS.), LL.B., ... *Presiding Officer.*

I. D. No. 198 of 1966.

I Party		*II Party.*
Workmen of Canara Workshops Ltd., Mangalore.	*Vs.*	Th Management of Canara Workshop, Ltd., Mangalore.

I.D. No. 8 of 1967.

The Workmen of Canara Workshops Ltd., Mangalore.	The Management of Canara Workshop Ltd., Mangalore.

Appearances :

For the I Party :—I-A. Sri Vittal Shetty, Treasurer, I.N.T.U.C, Mangalore.

I-B. Sri Srinivasan, Secretary. S. K. Automobile and Engineering Work rs' Union, Maidan Road, Mangalore, S. K.

For the II Party:—K. Sashidhar Rao, B.A., LL B , President General Managements' Association, Mangalore, S. K.

References

I. D. No. 198 of 1966 is referred by Government in their Order No. LMA 586 LLD 65, dated 20th/23rd December 1966.

I. D. No. 8 of 1967 is referred by Government in their Order No. LMA 32 LLD 67, dated 2nd February 1967.

These two disputes are between the Workmen and the Management of Canara Workshop. Ltd., Mangalore. In both these disputes, the Management of Canara Wo·k-hop, Ltd., is the II Party while the workmen repres·nted by the Secr·tary, . Karnataka Automobile and Engineering Workers' Union, Mangalore, is I Party The reference in I. D. No. 198 of 1966 is made by the Government in their Order No. LMA 586 LLD 66, dated 20th/23rd December 1966 and I.D No 8 of 1967 is made by the Government in their Order No. LMA 32 LLD 67, dated 2nd February 1967, under Section 10 (1) (d) of the Industrial Disputes Act, 1947. In I.D No. 198 of 1966, the d m·nd of the workmen is with regard to the House Rent Allowance at the rate of Rs. : 0 per worker per month from 1st January 19· 6. wh·reas in I. D No. 8 of 1967. the di·pute is with regard to the d· mand for the introduction of gratuity sch·me at the rate of ·ne month's salary (Basi D. A.) per each year of service on retirement, termination of service, discharge or r·signation on medical grounds. dismissal and voluntary resignation and death. The den and with r·gard to House Rent Allowance nade by the workers in I. D. No. 198 of 1966 was regi·tered as I. D. No. 198 of 1966 whereas the Demand with regard to institution of Gratuity Scheme is regietered as I. D. No. 8 of 1967.

2 The workmen filed their claim in I. D. 198 of 1966 justifying their claim for House Rent Allowance and the II Party

Management disputed the claim of the I Party on various grounds. On the pleadings, two issues were framed in I. D. No. 198 of 1966. As the II party have taken the contention that this does not amount to an industr al dispute, the burden of proving that there existed an industrial dispute between the workmen and the management forms the sub ect matter of Issue No. 1. As the II party had also taken another contention that they do not have the required finaancial capacity to meet the demands of the workmen, the I party was called upon to prove that that the II party has the required financial capacity to prove that the II Party has the required financial capacity to meet the demands with regard to the House Rent Allowance at the rate of Rs. 20 per month.

3. In I. D. No. 8 of 1967 the I Party filed the claim statement through the Secretary of Karnataka Automobile and Engineering Worker's Union, Mangalore, justifying their claim for the introduction of the Gratuity Scheme as claimed by them. The II Party through their Managing Director have reputed the claims of the workmen for the institution of a Gratuity Scheme on the model suggested by the workmen. No fresh Issues apart from the one formulated in the Points of Dispute by the Government were framed.

4. Both the cases were posted for evidence to be recorded at Mangalore Camp on 25th September 1967. On 25th September 1967, both the Parties submitted that both the cases may be clubbed together and a common trial to be held and also took time to report settlement. On 27th September 1967, both the Parties filed a Joint Memo reporting settlement of both the disputes. Mr. K. Sashidhar Rao appeared for the II Party in both these cases and has signed the Memo. On behalf of the I Party, Sri Srinivasan, Secretary of the Union and Mr. C. A. Vittal Shetty, the Counsel for the I Party-B, have signed the Memorandum of settlement. According to the representation made by both the Parties that in view of some concessions made by the II Party to the I Party workmen, these two disputes were not pressed by the Parties, but however, the parties requested for an award being passed in terms

of the Joint Memo. Accordingly, I pass an Award in terms of the Joint Memo and the Joint Memo itself will form a part of the Award. Each Party will bear its own costs.

A. PANCHAKSHARIAH,

Presiding Officer,

Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Case Nos. I.D. 198 of 1966 and
I.D. No. 9 of 1967.

Between

The Workmen of M/s. Canara Workshops Ltd., Mangalore
... *I Party*

and

The Management of M/s. Canara Workshops Ltd , Mangalore
II Party.

JOINT MEMO.

The Parties hereto have settled their disputes amicably between themselves and it is agreed that an Award be passed in the following terms :—

1. **That the workmen including the temporary workers who have completed six months service of the II Party be given increment ranging from minimum of 25 paise to maximum of 40 paise per day with effect from 1st day of August 1967 in consideration of which the above disputes are not pressed by the I Party.**
2. **The arrears of increment be paid on or before 15th October 1967.**
3. **That there be no order as to costs.**
4. **Prays therefore an award be passed accordingly.**

Dated at Mangalore, this 27th day of September 1967.

(Sd.) A Vittal Shetty.

(Sd.) K. Shashidhar Rao. **(Sd.) Srinivasan.**

For Second Party. ***For First Party.***

"TRUE COPY "

A. PANCHAKSHARAIAH,
Presiding Officer,
Industrial Tribunal, Bangalore.

ORDER.

Bangalore, dated 10th October 1967.

S. O. 2053.—WHEREAS by State Government Order No. LMA 586 LLD 66, dated 23rd December 1966, LMA 32 LLD 67, dated 2nd February 1967, the Industrial Dispute between the Workmen and the Management of Canara Workshop Ltd., Mangalore was referred to the Industrial Tribunal, Bangalore for adjudication;

AND WHEREAS the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute:

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 586 LLD 66. and LMA 32 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secy.*

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